

REMARKS

Claims 1-11 are all of the claims presently pending in the application. Claims 4-6 have been amended to more particularly define the invention. Claims 10-11 have been added to claim additional features of the invention and to provide more varied protection for the claimed invention.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1-2 and 4-5 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Sato et al. (JP No. 06-068339) (hereinafter “Sato”). Claims 3 and 6-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sato in view of Hanna et al. (U.S. Patent No. 6,761,308) (hereinafter “Hanna”).

These rejections are respectfully traversed in the following discussion.

I. THE CLAIMED INVENTION

The claimed invention (e.g., defined by claim 1) is directed to an electronic journal preparation system (and method). The system includes a face image pick-up portion for picking up a face image of a customer, a card embossed image pick-up portion for picking up a card embossed image from a bank card, a customer transaction data image processing portion for forming an image regarding customer transaction data, a journal data synthesizing portion for synthesizing a journal data by assembling the face image picked up by the face image pick-up portion, the card embossed image picked up by the card embossed image pick-up portion and the customer transaction data image picked up by the customer transaction data image processing portion and a journal data storing portion for storing the journal data synthesized by the journal data synthesizing portion into an electronic recording medium

provided in the electronic journal preparation system.

Conventionally, banking facilities have prepared journals and store the journals on paper for managing personal history backgrounds. Recently, in banking facilities, electronic journal management has begun to replace paper management. The transaction data, however, is stored in text format, which allows the personal history backgrounds in the journals to be easily altered.

The claimed invention of exemplary claim 1, on the other hand, is directed to an electronic journal preparation system (and method) including a customer transaction data image processing portion for forming an image regarding customer transaction data (e.g., see Application at page 2, lines 11-13). This feature allows the present invention to provide an electronic journal preparation system (and method) in which the personal history backgrounds are difficult to alter (see Application at page 2, lines 5-7).

II. THE PRIOR ART REFERENCES

A. The Sato Reference

The Examiner alleges that Sato teaches the claimed invention of claims 1-2 and 4-5. Applicant submits, however, that there are elements of the claimed invention which are neither taught nor suggested by Sato.

That is, Sato does not teach or suggest an electronic journal preparation system including "*a customer transaction data image processing portion for forming an image regarding customer transaction data*" as recited in claim 1 and similarly recited in claim 4.

The Examiner alleges that Sato discloses an electronic journal preparation system including a customer transaction data processing portion for forming an image regarding customer transaction data. The Examiner attempts to rely on paragraph [0016] lines 4-7 of Sato to support his allegations. The Examiner, however, is clearly incorrect.

That is, nowhere in this passage (nor anywhere else for that matter) does Sato teach or suggest an electronic journal preparation system including a customer transaction data image

processing portion for forming an image regarding customer transaction data. Indeed, Sato merely teaches the prior art system (and method) as described in the specification of the Application (see Application at page 1, lines 13-24).

Indeed, Sato teaches an electronic journal system that collectively displays on CRT 23 the contents of a user's journal dealing data and a user's photograph. Sato merely teaches inputting and displaying dealings journal data (see Sato at paragraph [0016]). Sato does not teach or suggest, however, forming an image regarding customer transaction data.

In the claimed invention (of exemplary claim 1) the customer transaction data is stored in the electronic journal as image data, which is synthesized by the journal data synthesizing portion. The present invention is far more effective than the conventional technique, used by Sato, which stores data as numerical values (text), in preventing the transaction data from unauthorized alteration. When data is stored as numerical values, it is easy to alter the data by use of a keyboard even without using a particular tool. That is, it is possible to alter the data on the automatic teller machine. When the customer transaction data, however, is converted into image data, it is impossible to alter the image data on the ATM because an image editor is required for altering the image data.

Nowhere does Sato even mention storing customer transaction data as an image, let alone teach or suggest a customer transaction data image processing portion for forming an image regarding customer transaction data. Moreover, Sato does not even mention preventing customer transaction data from being altered. Sato is directed to merely displaying a user's photograph with the user's bank dealing data.

Therefore, Applicant submits that there are elements of the claimed invention that are not taught or suggest by Sato. Therefore, the Examiner is respectfully requested to withdraw this rejection.

B. The Hanna Reference

The Examiner alleges that Hanna would have been combined with Sato to form the

claimed invention of claims 3 and 6-9. Applicant submits, however, that these references would not have been combined and even if combined, the combination would not teach or suggest each and every element of the claimed invention.

Applicants submit that these references would not have been combined as alleged by the Examiner. That is, the Examiner can point to no motivation or suggestion in the prior art references to justify such a combination. Sato and Hanna are each directed to different problems and different means for solving those problems.

Specifically, Sato is directed to an electronic journal system in which a transaction operated by plural automatic transaction devices can be instantaneously retrieved and displayed in a batch, whereas Hanna is directed to a banking apparatus that dispenses and receives currency in the form of notes and coins. One of ordinary skill in the art would not refer to a reference directed to a banking apparatus that dispenses notes and coins to solve the problems of the system in Sato. Therefore, these references are completely unrelated, and no person of ordinary skill in the art would have considered combining these disparate references, absent impermissible hindsight.

Moreover, neither Sato nor Hanna, nor any combination thereof teaches or suggests an electronic journal preparation system including “*a customer transaction data image processing portion for forming an image regarding customer transaction data*” as recited in claim 1 and similarly recited in claim 4.

Indeed, the Examiner merely attempts to rely on Hanna as allegedly suggesting inserting a watermark into customer transaction data. The Examiner relies on column 33, lines 44-55 of Hanna to support his allegations.

Nowhere, however, in this passage (nor anywhere else for that matter) does Sato teach or suggest an electronic journal preparation system including a customer transaction data image processing portion for forming an image regarding customer transaction data. Indeed, the Examiner has not even alleged that Hanna teaches or suggests this recited feature.

Therefore, Applicants submit that these references, even if combined, would not teach

or suggest each and every feature of the claimed invention. Therefore, the Examiner is respectfully requested to withdraw these rejections.

III. NEW CLAIMS

New claims 10-11 have been added to provide more varied protection for the claimed invention and to claim additional features of the invention. These claims are independently patentable because of the novel features recited therein.

Applicants respectfully submit that new claims 10-11 are patentable over any combination of the applied references at least for analogous reasons to those set forth above with respect to claims 1-9.

IV. FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicant submits that claims 1-11, all of the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: October 29, 2004



Scott M. Tulino, Esq.
Registration No. 48,317

Sean M. McGinn, Esq.
Registration No. 34,386

McGinn & Gibb, PLLC
Intellectual Property Law
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254